

**NOTICE OF HEARING BEFORE  
ALCOHOLIC BEVERAGE APPEALS COMMISSION**

**IN RE: MATTER OF Application of Lex-Pac, Inc.  
NO. 13111**

**On appeal from** Decision and Order of the Alcoholic Beverage Control  
Commissioner dated: January 15, 2010

**APPLICANT:** Lex-Pac, Inc.  
Hak's Sports Bar & Restaurant  
1050 S. Market Street  
Wilmington, DE 19801

c/o Adam Balick  
Balick & Balick, LLC  
711 King Street  
Wilmington, DE 19801

Pursuant to the authority of 4 Del.C. §304(b), **PLEASE TAKE NOTICE** that a hearing will take place before the Alcoholic Beverage Appeals Commission in the above matter on **Thursday, March 18, 2010 at 11:00 A.M. at Carvel State Building, 3<sup>rd</sup> Floor Conference Room, 820 N. French Street, Wilmington, DE 19801.**

This appeal has been filed by: Lex-Pac, Inc.  
c/o Adam Balick  
Balick & Balick, LLC  
711 King Street  
Wilmington, DE 19801

**Please see following page for hearing guidelines.**

Written memoranda (if any) must be received in the Commission office no later than **March 11, 2010.**

**ORAL ARGUMENT AT THE HEARING WILL BE LIMITED TO 10 MINUTES PER SIDE.**

Please arrive at least 10 minutes before the time the hearing is scheduled to begin. Failure to appear for the hearing in a timely manner may result in forfeiture of your right to participate in the appeal.

**OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER**

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Therese Manlove, Secretary to the Commissioner

DATE OF MAILING:

## **ALCOHOLIC BEVERAGE APPEALS COMMISSION**

### **PLEASE NOTE THE FOLLOWING:**

1. Pursuant to 4 Del.C. §304(b), the Alcoholic Beverage Appeals Commission ("Commission") shall "review the matter on the record and affirm, reverse or modify the decision of the Commissioner."  
**THE COMMISSION'S DECISION WILL BE BASED SOLELY ON THE RECORD ESTABLISHED BEFORE THE COMMISSIONER AND ARGUMENT PRESENTED BY THE PARTIES. NO NEW EVIDENCE WILL BE TAKEN BY THE COMMISSION.**
2. Only parties to the appeal (listed above) may participate before the Appeals Commission. Corporations must be represented by an attorney duly admitted to practice law in the State of Delaware. Non-corporate parties may represent themselves or be represented by an attorney duly admitted to practice law in the State of Delaware. A group who is a party may designate a representative to speak on its behalf.
3. Parties may, at their option, submit written memoranda in support of their position on appeal, up to 10 pages in length. *Such memoranda must be received in the Commission office no later than 14 days before the date of hearing. The party submitting written memoranda must simultaneously send copies to all other parties to the appeal.*
4. Each party will be permitted, but not required, to present oral argument in support of the affirmance, reversal or modification of the decision of the Commissioner.
5. Transcripts of matters before the Alcoholic Beverage Control Commissioner which are being appealed to this Commission are available by making purchase arrangements with the Court Reporter. Copies of exhibits to the record of the Commissioner are available from the Commissioner's office. Reasonable photocopying fees will be assessed. Parties desiring either transcript or exhibits should contact Therese Manlove, Secretary to the Appeals Commission at (302) 577-5222.